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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,815	05/04/2001	Paul Entwistle	BA1525-315/01262	7914

7590 05/21/2004  
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EXAMINER

ORGAD, EDAN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/848,815

Applicant(s)

ENTWISTLE ET AL.

Examiner

Edan Orgad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 23-38 is/are rejected.
- 7) ☒ Claim(s) 14-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 & 25 recites the limitation "the processing" in pg. 2, line 7 & pg. 6, line 20, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation " said light guide " in pg. 3, line 7. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 23 & 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross et al (US 5,859,628).

Regarding claim 1, Ross teaches a device which allows for the input of visual, audio and/or auxiliary data (col. 2, line 2), the processing of said data and storage of said data in the device (col. 2, lines 1-3), said device comprising: a display screen (col. 2, lines 2) for the display of said visual data and/or speakers for sounding of said audio data (col. 2, lines 1-29). Ross further teaches said device allows for the selected communication of said visual, audio and/or

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auxiliary data to and/or from a remote location either directly via a communications link or via a broadcast data receiver, and then via a communications link, said device being of such size so as to be hand held and portable (col. 1, lines 46-65, col. 7, lines 39-48 & col. 9, lines 10-25).

Regarding claim 2, Ross teaches said device can be provided in a holder to store said device when not in use and/or to allow said device to operate (col. 2, lines 13-15).

Regarding claim 3, Ross teaches the means to allow input of data into said device can be selected from the group consisting of a bar code reader, a voice synthesizer, a key pad, a mouse or a pen to touch the display screen (col. 5, lines 59-63).

Regarding claim 4, Ross teaches said holder is provided with a light source which is directed, when said device is placed in said holder, to provide improved lighting of said display screen of said device (col. 2, lines 3-6).

Regarding claim 5, Ross teaches said light source provided in said holder is in an off position or unlit condition until said device is placed onto said holder which acts to enable said light source (col. 2, lines 3-6 & col. 4, lines 40-50).

Regarding claim 6, Ross teaches said light guide means are provided between said holder and said device, the light guide means serving to guide light emitted from said light source in said holder onto said display screen (col. 4, lines 40-50).

Regarding claim 7, Ross teaches said light guide means are perspex or fibre optic guide means (col. 4, lines 51-55).

Regarding claim 8, Ross teaches that when said device is placed in said holder, said light source is not enabled until the same is switched on by the reception of said device by incoming data (col. 4, lines 40-55).

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Regarding claim 9, Ross teaches a secondary light source (col. 3, lines 56-60) but to specifically include that the display of said device is provided with back lighting in addition to said light source of said holder. However, official notice is taken that since Ross already teaches a second lamp/light-source it would have been obvious to one of ordinary skill in the art at the time of the invention to include another lamp for back lighting in order to provide further visual aid during night time driving.

Regarding claim 10, Ross teaches said light source is permanently switched on (col. 4, lines 41-47).

Regarding claim 11, Ross teaches said holder is provided with means for charging the power source of said device (col. 3, lines 38-55).

Regarding claim 23, Ross teaches a device which allows for the input of visual, audio and/or auxiliary data, the processing of said data and storage of said data in the device (col. 2, lines 1-3), said device comprising: a display screen (col. 2, lines 2) for the display of said visual data and/or speakers for sounding of said audio data. Ross further teaches said device allows for the selected communication of said visual, audio and/or auxiliary data to and/or from a remote location either directly via a communications link or via a broadcast data receiver, and then via a communications link, said device being of such size so as to be hand held and portable (col. 1, lines 46-65, col. 7, lines 39-48 & col. 9, lines 10-25). Furthermore, Ross teaches said holder includes a light source, which light source is directed, when the device is placed on said holder, to provide improved lighting of the display screen of the device (col. 2, lines 3-6 & col. 4, lines 40-50).

Regarding claim 25, Ross teaches a device for the input of data (see abstract), the processing of data, storage of same in the device and selected communication of said data to a remote location either directly via a communications link or via a broadcast data receiver and then via a communications link (col. 1, lines 46-65, col. 7, lines 39-48 & col. 9, lines 10-25). Ross further teaches provisions for location in a holder and wherein said device includes therein processing means to allow audio data received from a remote location to be decoded and an audio service provided (col. 9, lines 26-45).

Regarding claim 26, Ross teaches said device is provided in engagement with said holder, in addition to connection between a power cell in said device and a power charger, there is provided a connection between audio reproduction means in said device and at least one speaker provided in connection with said holder (col. 9, lines 26-45).

Regarding claim 27, Ross teaches an audio data decoded via said device is generated for listening via the speaker (col. 9, lines 26-45).

Regarding claim 28, Ross teaches said device or holder includes an amplifier to allow the decoded audio to be amplified sufficiently for generation via the speaker (inherent to any Pda with a speaker, if an amplifier was not present than there would be no sound coming out the speaker).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 13 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al (US 5,859,628) in view of Lebby et al (US 6,158,884).

Regarding claim 12, Ross fails to specifically disclose means for providing said device to allow magnification of material displayed on the display screen of said device and for projecting the material against a further surface for viewing. However, Lebby does disclose an integrated communicative device that could be a PDA as well, comprising means for allowing magnification of material displayed on the display screen of said device and for projecting the material against a further surface for viewing (col. 1, lines 25-31 & col. 2, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Lebby's communicative watch with Ross's PDA in order to provide more portability means to Ross's PDA as well as further enhance Ross's illumination means.

Regarding claim 13, Lebby teaches the material displayed both on said display screen and on said further surface is in a magnified form (col. 5, line 51- col. 6, line 21).

Regarding claim 24, Ross teaches a device which allows for the input of visual, audio and/or auxiliary data, the processing of said data and storage of said data in the device (col. 2, lines 1-3), said device comprising: a display screen (col. 2, lines 2) for the display of said visual data and/or speakers for sounding of said audio data. Ross further teaches said device allows for the selected communication of said visual, audio and/or auxiliary data to and/or from a remote location either directly via a communications link or via a broadcast data receiver, and then via a

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communications link, said device being of such size so as to be hand held and portable (col. 1, lines 46-65, col. 7, lines 39-48 & col. 9, lines 10-25). However, Ross fails to specifically disclose means for providing said device to allow magnification of material displayed on the display screen of said device and for projecting the material against a further surface for viewing. However, Lebby does disclose an integrated communicative device that could be a PDA as well, comprising means for allowing magnification of material displayed on the display screen of said device and for projecting the material against a further surface for viewing (col. 1, lines 25-31 & col. 2, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Lebby's communicative watch with Ross's PDA in order to provide more portability means to Ross's PDA as well as further enhance Ross's illumination means.

*Allowable Subject Matter*

Claims 14-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 14, the prior art, specifically Lebby et al (US # 6,158,884) a communication device (PDA or mobile phone) which allows for the data to be magnified and projected on to a wall or the like (col. 2, lines 22-27). However, neither Lebby alone or in

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combination with other prior art, teach the magnification means are provided on said holder of said device for display on said further surface.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0021287 Quasi-three-dimensional method and apparatus to detect and localize interaction of user-object and virtual transfer device.

US 6,505,055 Camel-back digital organizer and communication protocol for a cellular phone device.

US 6,490,155 Detachable coupling for handheld computer and peripheral attachment scheme.

US 6,158,884 Integrated communicative watch.

US 6,073,034 Wireless telephone display system.

US 5,867,795 Portable electronic device with transceiver and visual image display.

US 5,615,384 Personal communicator having improved zoom and pan functions for editing information on touch sensitive display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 703-305-4223. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad



May 11, 2004

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**